

**BEFORE THE COMMISSIONER OF INSURANCE  
OF THE STATE OF KANSAS**

<b>In the Matter of the Kansas</b>	)	
<b>Resident Insurance Producer's License of</b>	)	
<b>ANDREA RODRIGUEZ-VILLANUEVA</b>	)	<b>Docket No. 83166</b>
<b>NPN # 17881986</b>	)	

**SUMMARY ORDER OF REVOCATION**

(Pursuant to K.S.A. 40-4909 and K.S.A. 77-501 *et seq.*)

Pursuant to the authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 40-4909 and K.S.A. 77-501 *et seq.*, the Commissioner hereby **REVOKES** the Kansas resident insurance producer's license of **ANDREA RODRIGUEZ-VILLANUEVA** ("Respondent"). This Summary Order of Revocation shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for a hearing is made.

**Findings of Fact**

1. Respondent was licensed as a Kansas resident insurance producer on July 6, 2016 and remains licensed to date.
2. Respondent's address of record is [REDACTED] Wichita, KS [REDACTED].
3. On December 5, 2019, the Kansas Insurance Department ("Department") received a notice of termination for cause from Farmers Insurance.
4. An investigator for the Department reviewed documents from Farmers Insurance and found evidence supporting a finding that from August 23, 2019 to September 3, 2019, Respondent collected nine customer cash premium payments totaling \$3,545 but did not deposit those payments to the "Company bank account." Respondent failed to respond to Farmers

Insurance's inquiry regarding the matter meaning payments would be recovered through the agency fidelity bond.

5. On April 9, 2020, the Department sent an inquiry letter to Respondent requesting she provide a written explanation of the reason for the termination of her business relationship with Farmers Insurance.

6. On June 12, 2020, Respondent contacted an investigator with the Department. She stated she received letters from Farmers Insurance and the Department regarding her termination for cause and the missing premium payments.

7. On June 22, 2020, Respondent contacted the Department's investigator and claimed she did not receive a letter from Farmers Insurance. Respondent stated she would provide a written response to the Department regarding her termination for cause.

8. Respondent, to this date, has not provided a written response to the Department's request for a written explanation.

### **Applicable Law**

K.S.A. 40-4909(a)(4) provides:

The Commissioner may deny, suspend, revoke or refuse renewal of an insurance producer's license upon finding that Respondent has improperly withheld, misappropriated or converted any moneys or properties received in the course of doing insurance business.

K.S.A. 40-4909(a)(8) provides:

The Commissioner may deny, suspend, revoke or refuse renewal of an insurance producer's license upon finding that Respondent has used any fraudulent, coercive, or dishonest practice, or demonstrated any incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

K.S.A. 40-4909(b) provides:

The Commissioner may suspend, revoke or refuse renewal of an insurance producer's license upon finding that the interests of the insurer or the insurable interests of the public are not properly served under Respondent's license.

### **Policy Reasons**

1. It is in the public interest that the license of a producer who has improperly withheld, misappropriated or converted premium payments received in the course of doing insurance business be revoked.

2. It is in the public interest that the license of a producer who has used fraudulent, coercive or dishonest practice or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business be revoked.

### **Conclusions of Law**

1. The Commissioner has jurisdiction over **ANDREA RODRIGUEZ-VILLANUEVA** as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

2. Pursuant to K.S.A. 40-4909(a)(4), the Commissioner finds that Respondent's Kansas resident insurance producer's license may be revoked because **ANDREA RODRIGUEZ-VILLANUEVA** improperly withheld, misappropriated or converted any moneys or properties received in the course of doing insurance business.

3. Pursuant to K.S.A. 40-4909(a)(8), the Commissioner finds that Respondent's Kansas resident insurance producer's license may be revoked because **ANDREA RODRIGUEZ-VILLANUEVA** used fraudulent, coercive, or dishonest practice, or demonstrated any incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

4. Pursuant to K.S.A. 40-4909(b), the Commissioner finds that the insurable interests of the public are not properly served under the Kansas resident insurance producer's license of **ANDREA RODRIGUEZ-VILLANUEVA**.

5. Pursuant to K.S.A. 40-4909(a) and (b), the Commissioner concludes that sufficient grounds exist for revocation of the Kansas resident insurance producer's license of **ANDREA RODRIGUEZ-VILLANUEVA**.

**IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:**

1. The Kansas resident insurance producer's license of **ANDREA RODRIGUEZ-VILLANUEVA** is hereby **REVOKED** the effective date of this Order.


2. **IT IS FURTHER ORDERED** that **ANDREA RODRIGUEZ-VILLANUEVA** shall **CEASE** and **DESIST** from the sale, solicitation or negotiation of insurance and/or receiving compensation deriving from the sale, solicitation or negotiation of insurance conducted after the effective date of this Order.

**IT IS SO ORDERED THIS 22<sup>nd</sup> DAY OF APRIL 2021, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**



Vicki Schmidt  
Commissioner of Insurance

BY:

  
Justin L. McFarland  
General Counsel

**NOTICE AND OPPORTUNITY FOR HEARING**

**ANDREA RODRIGUEZ-VILLANUEVA**, within fifteen (15) days of service of this Summary Order, may file with the Kansas Insurance Department a written request for hearing on this Summary Order, as provided by K.S.A. 77-542. In the event a hearing is requested, such request should be directed to:

Jill Spurling  
Kansas Insurance Department  
1300 SW Arrowhead Rd.  
Topeka, Kansas 66604

Any costs incurred as a result of conducting any administrative hearing shall be assessed against the producer/agency who is the subject of the hearing as provided by K.S.A. 40-4909(f). Costs shall include witness fees, mileage allowances, any costs associated with reproduction of documents which become part of the hearing record, and the expense of making a record of the hearing.

If a hearing is not requested, this Summary Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period for requesting a hearing. The Final Order will constitute final agency action on the matter.

In the event the Respondent files a petition for judicial review, the agency officer designated pursuant to K.S.A. 77-613(e) to receive service of a petition for judicial review on behalf of the Kansas Insurance Department is:


Justin L. McFarland, General Counsel  
Kansas Insurance Department  
1300 SW Arrowhead Rd.  
Topeka, Kansas 66604

Pursuant to K.S.A. 77-607 and 77-612, exhaustion of administrative remedies is a jurisdictional prerequisite to seeking judicial review.

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she served the above-and-foregoing Summary Order of Revocation on this 2nd day of April 2021, by causing the same to be deposited in the United States Mail, certified, addressed to the following:

Andrea Rodriguez-Villanueva  
[REDACTED]  
Wichita, KS [REDACTED]  
*Respondent*

  
Toni Garrard  
Senior Administrative Assistant